

agency's comments must also be sent to the Applicant's representatives.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2928]

#### Merrimac Paper Company Inc.; Notice of Authorization for Continued Project Operation

December 3, 1999.

On September 29, 1997, Merrimac Paper Company Inc., licensee for the Merrimac Project No. 2928, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's regulations thereunder. Project No. 2928 is located along the South Canal on the Merrimack River within the City of Lawrence, Essex County, Massachusetts.

The license for Project No. 2928 was issued for a period ending November 30, 1999. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to section 15 of the FPA, notice is hereby given that an annual license for Project No. 2928 is issued to Merrimac Paper Company Inc. for a period effective December 1, 1999, through November 30, 2000, or until the issuance of a new license for the project or other disposition under

the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before November 30, 2000, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

If the project is not subject to Section 15 of the FPA, notice is hereby given that Merrimac Paper Company Inc. is authorized to continue operation of the Merrimac Project No. 2928 until such time as the Commission acts on its application for subsequent license.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. RM98-1-000]

#### Regulations Governing Off-the-Record Communications; Public Notice

December 3, 1999.

This constitutes notice, in accordance with 18 CFR 385.2201(h), of the receipt of exempt and prohibited off-the-record communications.

Order No. 607 (64 FR 51222, September 22, 1999) requires Commission decisional employees, who make or receive an exempt or a prohibited off-the-record communication relevant to the merits of a contested on-the-record proceeding, to deliver a copy of the communication, if written, or a summary of the substance of any oral communication, to the Secretary.

Prohibited communications will be included in a public, non-decisional file associated with, but not part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such requests only when it determines that fairness so requires.

Exempt off-the-record communications will be included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of exempt and prohibited off-the-record communications received in the Office of the Secretary within the preceding 14 days. The documents may be viewed on the Internet at <http://www.ferc.fed.us/online/rims.htm> (call 202-208-2222 for assistance).

#### Exempt

1. CP98-150-000 and CP98-151-000: 11/23/99, Jeff Shenot.

2. Project Nos. 2699 and 2019: 11/22/99, Don L. Klima.

3. Project No. 1962: 11/29/99, Robert J. Baiocchi.

4. CP99-94-000: 11/22/99, Carol Ann Reed.

5. CP98-150-000: 11/22/99, John Lacey.

**Linwood A. Watson, Jr.,**

*Acting Secretary.*

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## DEPARTMENT OF ENERGY

### Western Area Power Administration

#### Applications for the 2005 Resource Pool Power Allocations, Central Valley Project

**AGENCY:** Western Area Power Administration, DOE.

**ACTION:** Notice of Extension.

**SUMMARY:** The Western Area Power Administration (Western), a Federal power marketing administration of DOE, published a Call for 2005 Resource Pool Applications in the **Federal Register** pursuant to the 2004 Power Marketing Plan (Marketing Plan) for the Sierra Nevada Customer Service Region (Sierra Nevada Region). This notice extends the filing date for applications for a percentage of the Sierra Nevada Region's 2005 Resource Pool by 30 days.

**DATES:** Entities interested in applying for an allocation of Western power must submit applications to Western's Sierra Nevada Customer Service Regional Office at the address below.

Applications must be received by 4 p.m., PST, on January 19, 2000. Applicants are encouraged to hand-deliver or use certified mail to deliver applications. Applications will be accepted via regular mail through the United States Postal Service if